Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1. (Currently Amended) A method of polling interactive television viewers, the method comprising:

identifying a first pool of two or more entry elements;

selecting entry elements such that subsets of entry elements are defined;

configuring at least one polling request, each polling request including one of the subsets of entry elements, and each polling request prompting a viewer to evaluate at least some of the entry elements;

preparing a first evaluation round that includes at least the polling request and that enables a first user to select one of the entry elements multiple times within the polling request to indicate a relative preference for the one entry element with respect to other entry elements selected by the same, first user within the polling request;

connecting to one or more set top systems of one or more interactive television viewers;

sending the first evaluation round to the one or more set top systems of the one or more interactive television viewers;

receiving responses to the first evaluation round that includes an indication of the number of times that the entry elements have been selected by the first user;

tallying the number of times that each of the entry elements has been selected by users participating in the first evaluation round, the number of times including multiple selections of the same entry element by the same user within the polling request;

identifying, in response to tallying, a second pool of revised elements that reflect more popular elements as identified in the first evaluation round such that the second pool includes fewer elements than the first pool;

selecting revised elements such that subsets of revised elements are defined;

configuring at least one second polling request, each second polling request including one of the subsets of revised elements, and each second polling request prompting a viewer to evaluate the revised elements selected from the second pool; and

preparing a subsequent evaluation round that includes at least the second polling request.

2. (Previously Presented) The method of claim 1 wherein the first and second polling requests have two different sets of elements.

3. (Previously Presented) The method of claim 1 wherein each element appearing in the polling request is different from the every other element appearing in the polling request.

4. (Currently Amended) The method of claim 1 wherein:

preparing the first evaluation round comprises establishing a time limit for responses to the first evaluation round; and

tallying the number of times that each of the entry elements has been selected by users participating in the first evaluation round comprises:

tallying the number of times that each of the entry elements has been selected by users participating in the first evaluation round based on responses to the first evaluation round received prior to expiration of the time limit; and

ignoring responses to the first evaluation round received after expiration of the time limit

identifying a second poll of revised elements includes tallying the responses to the first evaluation round that have been received after a time limit.

5. (Currently Amended) The method of claim 4 wherein the time limit is applied relative to a establishing the time limit comprises establishing a predetermined, fixed time period that begins when the first evaluation round is initially broadcast displayed to [[an]] interactive television viewers [[viewer]].

6. (Currently Amended) The method of claim 5 wherein establishing the predetermined, fixed time period that begins when the first evaluation round is initially broadcast to interactive television viewers comprises establishing a predetermined, fixed time period that corresponds to an opening sequence of a broadcast television program, further comprising:

determining features to broadcast during the remainder of the broadcast television program based on responses to the first evaluation round received during the predetermined, fixed time period that corresponds to the opening sequence of the broadcast television program without regard for responses to the first evaluation round received after the predetermined, fixed time period that corresponds to the opening sequence of the broadcast television program; and

broadcasting the remainder of the broadcast television program based on the determined features 4 wherein the time limit is common to all of the interactive television viewers.

7. (Currently Amended) The method of claim 1 further comprising displaying broadcasting particular content, other than results of the first evaluation round, to the interactive television viewers based on evaluating the responses to the first evaluation round.

8. (Currently Amended) The method of claim 7 wherein broadcasting the particular content includes broadcasting a graphical user interface.

9. (Currently Amended) The method of claim 7 wherein broadcasting the particular content includes broadcasting particular music based on evaluating the responses to the first evaluation round multimedia data.

10. (Currently Amended) The method of claim 7 wherein displaying broadcasting particular content to the interactive television [[viewer]] viewers comprises broadcasting a particular television show based on evaluating the responses to the first evaluation round displaying the particular content using the set top system.

11. (Original) The method of claim 1 further comprising designating polling rules for targeting the interactive television viewers.

12. (Original) The method of claim 11 further comprising determining context information of interactive television viewers.

13. (Original) The method of claim 12 further comprising applying the targeting rules to the context information to identify targeted interactive television viewers.

14. (Currently Amended) The method of claim 12 wherein:

determining the context information includes determining television programming currently being viewed by an interactive television viewer at a particular time; and

applying the targeting rules to the context information to identify targeted interactive television viewers comprises identifying the interactive television viewer as a candidate for the first evaluation round based on the television programming currently being viewed by the interactive television viewer and the targeting rules.

15. (Currently Amended) The method of claim 14 wherein:

determining television programming currently being viewed comprises determining the television programming currently tuned to by a set top box; and

identifying the interactive television viewer as a candidate for the first evaluation round based on the television programming currently being viewed by the interactive television viewer and the targeting rules comprises:

deriving demographic information about the interactive television viewer based on the television programming currently being viewed by the interactive television viewer;

comparing the derived demographic information with the targeting rules; and

identifying the interactive television viewer as a candidate for the first evaluation round based on the comparison of the derived demographic information with the targeting rules.

16. (Original) The method of claim 14 wherein determining television programming being viewed comprises determining the television programming using an EPG.

17. (Currently Amended) The method of claim 1 further comprising determining television programming currently being tuned to by set top systems of interactive television viewers that are potential candidates for the first evaluation round context information associated with television programming available for delivery to the interactive television viewer.

18. (Currently Amended) The method of claim 17 wherein determining television programming currently being tuned to by set top systems the context information associated with the television programming comprises determining television programming currently being tuned to by set top systems context information based upon a television signal received by a set top box.

19. (Currently Amended) The method of claim 17 wherein determining television programming currently being tuned to by set top systems context information associated with the television programming comprises determining television programming currently being tuned to by set top systems context information based upon a channel identification number.

20. (Currently Amended) The method of claim 17 wherein determining television programming currently being tuned to by set top systems context information associated with the television programming comprises determining television programming currently being tuned to by set top systems context information based upon a broadcaster identifier.

21. (Currently Amended) The method of 17 wherein:

preparing the first evaluation round includes preparing the polling requests based on the television programming currently being tuned to by the set top systems and generating a list of set top systems with which to send the first evaluation round based on the television programming currently being tuned to by the set top systems, the list of set top systems being a

subset of the set top systems of interactive television viewers that are potential candidates for the first evaluation round ~~context information associated with the television programming~~; and

      sending the first evaluation round includes sending the first evaluation round to set top systems included in the generated list of set top systems.

22. (Currently Amended) The method of claim 17 wherein determining television programming currently being tuned to by set top systems ~~context information associated with the television programming~~ comprises determining television programming currently being tuned to by set top systems ~~context information~~ based upon a television series.

23. (Currently Amended) The method of claim 17 wherein determining television programming currently being tuned to by set top systems ~~context information associated with the television programming~~ comprises determining television programming currently being tuned to by set top systems ~~context information~~ based upon an episode of a television show.

24. (Currently Amended) The method of claim 17 wherein determining television programming currently being tuned to by set top systems ~~context information associated with the television programming~~ comprises determining television programming currently being tuned to by set top systems ~~context information~~ based upon an EPG identity.

25. (Currently Amended) The method of claim 17 wherein determining television programming currently being tuned to by set top systems ~~context information associated with the television programming~~ comprises determining television programming currently being tuned to by set top systems ~~context information~~ based upon a program content category.

26. (Previously Presented) The method of claim 1 wherein sending the first evaluation round, that includes at least the polling request, includes prompting the interactive television viewer to select one element in the polling request of two or more elements.

27. (Previously Presented) The method of claim 1 wherein sending the first evaluation round includes prompting an interactive television viewer to rank order a list of elements.

28. (Currently Amended) The method of claim 1 wherein identifying the revised elements in the subsequent evaluation round includes <u>identifying</u> a most selected element in a first polling request <u>included in the first evaluation round</u> and a most selected element in a second polling request <u>included in the first evaluation round and generating a third polling request for the subsequent evaluation round that includes the most selected element in the first polling request and the most selected element in the second polling request,</u>

 <u>wherein the second polling request is different than the first polling request and only includes entry elements that are different than entry elements included in the first polling request.</u>

29. (Previously Presented) The method of claim 28 wherein the subsequent evaluation round continues until there is one element that has not been selected to a lesser degree than other elements in any polling request of the most selected elements and the other elements.

30. (Currently Amended) The method of claim 1 wherein identifying a second pool of revised elements includes determining which element in the polling request received the most votes <u>irrespective of how many of those votes were received from the same user</u>.

31. (Previously Presented) The method of claim 1 wherein identifying a second pool of revised elements includes a least selected element in a first polling request and a least selected element in a second polling request.

32. (Previously Presented) The method of claim 1 wherein sending the first evaluation round includes sending an instant message.

33. (Previously Presented) The method of claim 1 wherein sending the first evaluation round includes sending an electronic mail message.

34. (Previously Presented) The method of claim 1 wherein sending the first evaluation round includes sending a display to overlay television programming.

35. (Cancelled).

36. (Currently Amended) A communications apparatus for polling interactive television viewers, the apparatus configured to:

identify a first pool of two or more entry elements;

select entry elements such that subsets of entry elements are defined;

configure at least one polling request, each polling request including one of the subsets of entry elements, and each polling request prompting a viewer to evaluate at least some of the entry elements;

prepare a first evaluation round that includes at least the polling request and that enables a first user to select one of the entry elements multiple times within the polling request to indicate a relative preference for the one entry element with respect to other entry elements selected by the same, first user within the polling request;

connect to one or more set top systems of one or more interactive television viewers;

send the first evaluation round to the one or more set top systems of the one or more interactive television viewers;

receive responses to the first evaluation round that includes an indication of the number of times that the entry elements have been selected by the first user;

tally the number of times that each of the entry elements has been selected by users participating in the first evaluation round, the total number of times including multiple selections of the same entry element by the same user within the polling request;

identify, in response to tallying a second pool of revised elements that reflect more popular elements as identified in the first evaluation round such that the second pool includes fewer elements than the first pool;

select revised elements such that subsets of revised elements are defined;

configure a second polling request, each second polling request including one of the subsets of revised elements, and each second pooling request prompting the viewer to evaluate the revised elements selected from the second pool; and

prepare a subsequent evaluation round that includes at least the second polling request.

57. (Cancelled).

38. (Currently Amended) A computer program for polling interactive television viewers, the computer program being stored on a tangible computer readable medium and comprising instructions for:

identifying a first pool of two or more entry elements;

selecting entry elements such that subsets of entry elements are defined;

configuring at least one polling request, each polling request including one of the subsets of entry elements, and each polling request prompting a viewer to evaluate at least some of the entry elements;

preparing a first evaluation round that includes at least the polling request and that enables a first user to select one of the entry elements multiple times within the polling request to indicate a relative preference for the one entry element with respect to other entry elements selected by the same, first user within the polling request;

connecting to one or more set top systems of one or more interactive television viewers;

sending the first evaluation round to the one or more set top systems of the one or more interactive television viewers;

receiving responses to the first evaluation round that includes an indication of the number of times that the entry elements have been selected by the first user;

tallying the number of times that each of the entry elements has been selected by users participating in the first evaluation round, the total number of times including multiple selections of the same entry element by the same user within the polling request;

identifying, in response to tallying, a second pool of revised elements that reflect more popular elements as identified in the first evaluation round such that the second pool includes fewer elements than the first pool;

selecting revised elements such that subsets of revised elements are defined;

configuring at least one second polling request, each second polling request including one of the subsets of revised elements, and each second polling request prompting a viewer to evaluate the revised elements selected from the second pool; and

preparing a subsequent evaluation round that includes at least the second polling request.

39. (Cancelled).

40. (Previously Presented) The method of claim 1, wherein at least one of the subsets of entry elements shares a common entry element with another of the subsets of entry elements.

41. (New) The method of claim 1 wherein identifying, in response to tallying, the second pool of revised elements that reflect more popular elements as identified in the first evaluation round such that the second pool includes fewer elements than the first pool comprises selecting a first entry element from the first evaluation round over a second entry element from the first evaluation round based on the first entry element having more total selections than the second entry element despite the second entry element being selected by more total users than the first entry element.

42. (New) The method of claim 1 wherein tallying the number of times that each of the entry elements has been selected by users participating in the first evaluation round comprises skewing the number of times that each of the entry elements has been selected by users participating in the first evaluation round to provide greater weight to more recently received responses.

43. (New) The method of claim 1 wherein identifying, in response to tallying, the second pool of revised elements comprises using sampling techniques to identify the second pool of revised elements based on a subset of responses received for the first evaluation round.